

REMARKS

A Supplemental Information Disclosure Statement is submitted herewith.

In the Office Action dated April 16, 2004, claim 15 was rejected under 35 U.S.C. § 112; claims 1 and 37 were rejected under § 102 over U.S. Patent No. 6,373,828 (Stewart); claims 4, 7, 9, 11, 15, 17, 39, 41, and 42 were rejected under § 103 over Stewart in view of U.S. Patent No. 6,469,994 (Ueda); claims 5, 14, 40, and 44 were rejected under § 103 over Stewart in view of U.S. Patent No. 5,487,065 (Acampora); claim 6 was rejected under § 103 over Stewart in view of Acampora and U.S. Patent No. 6,711,143 (Balazinski); claim 8 was rejected under § 103 over Stewart in view of Ueda and U.S. Patent No. 5,974,036 (Acharya); claim 12 was rejected under § 103 over Stewart in view of Ueda and U.S. Patent No. 6,603,738 (Kari); claims 16 and 18-24 were rejected under § 103 over Stewart in view of Ueda and U.S. Publication No. 2001/0033563 (Niemela).

RESTRICTION REQUIREMENT

Applicant confirms the election, without traverse, of the invention of Group I (claims 1-27 and 37-44). The remaining claims have been canceled without prejudice to submission of such claims in divisional applications.

ALLOWABLE CLAIMS

Applicant acknowledges the indication that claims 2, 3, 10, 13, 25-27, 38, and 43 would be allowable if rewritten in independent form. Claims 2, 10, 13, 25, 38, and 43 have been rewritten in independent form, with the scope of each claim remaining unchanged, to place the claim in condition for allowance. Note that minor amendments were made to claims 38 and 43 to improve their form as a result of amending the claims into independent form and to address an antecedent issue—however, such minor amendments do not change the scope of each of claims 38 and 43.

REJECTION UNDER 35 U.S.C. § 112

Claim 15 has been amended to address the rejection.

REJECTIONS UNDER 35 U.S.C. §§ 102 & 103

Independent claim 1 was rejected as being anticipated by Stewart. Stewart does not disclose identifying a plurality of paths in a Gb network, where each path is defined by an IP address in the base station and an IP address in the system controller, and further where the plurality of paths are identified by different combinations of one or more base station IP addresses and one or more system controller IP addresses. Further, Stewart fails to disclose selecting one of the plurality of paths in the *Gb network* to communicate data associated with a given mobile station. In view of the foregoing, it is respectfully submitted that claim 1 is not anticipated by Stewart.

Claims dependent from claim 1 are allowable for at least the same reasons.

Independent claim 15 was rejected as being obvious over Stewart and Ueda. Claim 15 has been amended to incorporate subject matter similar to claim 2, which was indicated as containing allowable subject matter. Therefore, claim 15 is allowable over Stewart and Ueda. Claims dependent from claim 15 are allowable for at least the same reasons.


Independent claim 37 was rejected as being anticipated by Stewart. Stewart does not disclose sending a message to decommission an IP address of one of a base station and system controller, as recited in the claim. Claims dependent from claim 37 are allowable for at least the same reasons.

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Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0080US).

Respectfully submitted,

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